



Kentucky Department of Education

Bylaws and Policies

Three-hour training for experienced school-based decision making membership

Objectives

- Understand the difference between bylaws and policies and how both can increase student achievement.
- Understand how bylaws guide school councils by making work more efficient, consistent, open and fair to all stakeholders.
- Understand how policy development can address challenges and improve student achievement.

Session Overview

This SBDM training session is designed to assist school councils in analyzing and improving their school council bylaws and policies and to ensure that those bylaws and policies meet the legal expectations and authorities as well as contribute to improving student achievement.

Student Achievement

The school council's mission is to improve student achievement [KRS 160.345(2)(c)1]. Each school council must create an environment in their schools that will result in students achieving at high levels. All policies and decisions by the school council must contribute to the achievement of the overall school mission.

These SBDM training materials were developed by the Kentucky Department of Education for use in training experienced school council members in implementing school-based decision making.

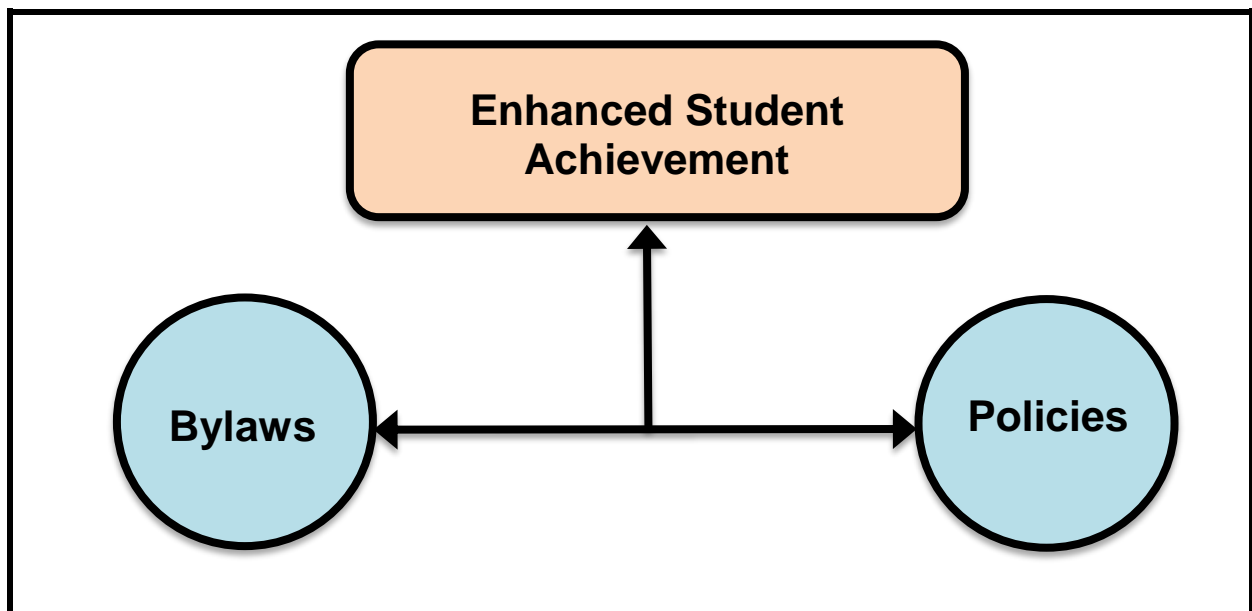


What is the difference between a bylaw and a policy?

The term *bylaw* is used to describe the operating rules the school council sets to conduct its work.

The term *policy* refers to what the school council develops and adopts concerning how the school operates.

- Bylaws are the rules, guidelines and procedures for school council operations.
- Policies are the rules, guidelines and procedures for school operations.
- Both should focus on enhancing student achievement in the school.



What are some of the topics in your school council bylaws?

What are some of the most recent policies that your school council has adopted or revised?

Bylaws

Bylaws are the rules, guidelines and procedures for school council operations.

School council bylaws make school council work more efficient, consistent, open and fair to all stakeholders. Often, situations arise where the school council's bylaws can help keep the meeting positive and productive.

Think of a time from last year's school council meetings when you had to refer to the school council bylaws for an answer to a procedure or a process. Was the answer in the bylaws? What happened as a result?

Common Issues with Bylaws

- Copies of the bylaws cannot be found.
- Bylaws have not reviewed on a regular basis or been updated to reflect current practices or procedures.
- Bylaws are incomplete.
- No electronic copies of the bylaws are available.

When serving on the school council, it is easy to skip over reading the bylaws and just proceed as has been done in the past. However, this can lead to confusion and in some cases conflict within the school council.


Bylaws should be reviewed regularly to ensure they are aligned with the current vision and goals of the school council and the school. Refer to the checklist on the next page. Using your school council bylaws, determine if your bylaws answer the questions. If yes, does the bylaw still reflect current practices? If no, how can the bylaws be amended to make the addition?

School Council Bylaws Checklist

Issue to be addressed in the bylaws	Statutory Authority (or best practice)	Our bylaws have this (and it is current practice)	Our bylaws do not have this (or it does not reflect current practice)
Purpose or Mission Statement			
Why has the school council been formed?	KRS 160.345(2)(c)1		
Membership of the School Council			
How many members are on our school council? Do we have ex-officio (non-voting) members?	KRS 160.345(2)(a)		
What are the qualifications for membership?	KRS 160.345(2)(b)1		
Is the school required to have minority membership? How will additional minority membership be elected?	KRS 160.345(2)(b)2		
Terms of Office			
When does a school council member's term begin and end? How many terms may a school council member serve?	KRS 160.345(2)(b)1		
How are school council member removed?	KRS 160.347		
Elections			
Who establishes teacher and parent election procedures?	KRS 160.345(2)(b)1		
When should all elections be completed?	Best Practice		
<p>NOTE: School council bylaws should not include established procedures for elections. They may include a date for completing elections in order to arrange the mandated membership training. Election procedures should be submitted with election materials for records retention and may be kept as an appendix to the bylaws as a way to ensure consistency for election and to have documentation of the protocols used should a question arise after elections are complete.</p>			

Issue to be addressed in the bylaws	Statutory Authority (or best practice)	Our bylaws have this (and it is current practice)	Our bylaws do not have this (or it does not reflect current practice)
Chair and Vice Chair			
Who serves as the chair of the school council?	KRS 160.345(2)(b)1		
Who may serve as the vice-chair of the school council? How is the vice-chair selected?	Best Practice		
What are the duties of the chair, the vice-chair and other school council members?	Best Practice		
Agenda Preparation and Distribution			
How are agendas prepared?	KRS 160.345(2)(d)		
How is input received for non-school council members and/or non-committee members?	Best Practice		
How are meeting agendas distributed to members and non-members of the school council and/or committee?	Best Practice		
Meetings			
Where and when are school council meetings?	KRS 61.810(1); 61.820(1); and KRS 61.840		
Who is responsible for notifying the public of the regularly scheduled school council meetings?	KRS 61.820(2)		
Does the agenda include a public comment segment?	Best Practice		
Decision Making Process			
How are decisions made?	Best Practice		
What are the procedures when consensus cannot be reached?	Best Practice		

Issue to be addressed in the bylaws	Statutory Authority (or best practice)	Our bylaws have this (and it is current practice)	Our bylaws do not have this (or it does not reflect current practice)
Record Keeping			
How will the minutes be structured, approved and distributed?	KRS 61.835		
How are request for public records granted? What are the fees to be charged for copying school council records?	KRS 61.870 to 61.884		
Who will be the custodian of school council records?	Best Practice		
Policy Development			
How are policies developed? How many reads of a policy are needed before adoption?	Best Practice		
Appeals Process			
Does the appeal process include or require the affected party to file grievance(s) in writing? What is the timeframe for filing an appeal?	Best Practice		
NOTE: Appeals to the school council must be about the policy or procedure decision made by the school council and cannot be about a decision made that addresses a disciplinary procedure of a student or teacher.			



What is one item included in our bylaws that is up to date and complete?

What is one item in our bylaws that needs to be revised or is missing?

Putting Our Bylaws to Use

Look at the following situations. Using your school council bylaws, do they address the situation? If your school council bylaws do not have any direction for dealing with the situation, should they? How would you address this?

Situations	Do our bylaws address this?	If not, how would we address this?
Example: A teacher has contacted the school council about speaking at the next meeting to support changes in the curriculum policy.		
Situation 1: The school council has been discussing an item for an extended length of time and cannot reach consensus for a decision.		
Situation 2: A new parent member works in a factory until 4 p.m. each day.		
Situation 3: A new teacher representative on the school council has been assigned the responsibility of taking minutes at each school council meeting.		
Situation 4: The new principal at a school wants to know who prepares the materials for the school council meetings.		
Situation 5: A group of teachers object to the change in the master		

Situations	Do our bylaws address this?	If not, how would we address this?
schedule from a six-period day to a seven-period day.		

Policy

School council policies are a way to strengthen the school's efforts to improve student achievement instead of just a requirement to fulfill. Policies should reflect and keep the focus on achieving the school council's and the school's mission, vision and goals.

Policies need to achieve at least one of the following purposes:

- Support and improve teaching and learning;
- Lead to enhancing student achievement;
- Outline a common procedure;
- Provide guidelines; and/or
- Meet a legal requirement.

When developing or revising policies, think about the following questions:

1. Is this policy aligned with our mission, vision and belief statements?
2. Is this policy related either directly or indirectly to improving student achievement?
3. Does this policy support our school improvement goals and objectives?
4. Do all of our teachers have the training and resources to implement the policy?
Do we have a plan to train new teachers once the policy is implemented?
5. Is this policy within the school council authority?
6. Does the policy focus on results of students and not compliance of adults?
7. Is the policy valid, as it does not violate any state or federal statutes or regulations, break contracts or risk lawsuits?




Kentucky Statutory Policy Areas

What are the statutorily required policies that each school council must develop and adopt?

Review your school council policies. Do you have all the required adopted policies? Are they current? Beginning on the next page, list each policy area on the chart, noting the policies that your school has adopted and the date when the adoption occurred.

POLICY AREA	STATUTE AUTHORITY REFERENCE	DATE ADOPTED
Determination of Curriculum	KRS 160.345(2)(i)1	
Assignment of Instructional and Non-Instructional Staff Time	KRS 160.345(2)(i)2	
Assignment of Students to Classes and Programs	KRS 160.345(2)(i)3	
Determination of the Schedule of the School Day and Week	KRS 160.345(2)(i)4	
Determination of Use of School Space	KRS 160.345(2)(i)5	
Planning and Resolution of Issues Regarding Instructional Practices	KRS 160.345(2)(i)6	
Selection and Implementation of Discipline and Classroom Management Techniques	KRS 160.345(2)(i)7	
Selection of Extracurricular Programs	KRS 160.345(2)(i)8	
Adoption of the Emergency Plan	KRS 160.345(2)(i)9	
Procedures for Determining Alignment with State Standards, Technology Utilization and Program Appraisal	KRS 160.345(2)(i)10	
Consultation Procedures	KRS 160.345(2)(i)11	
Committees	KRS 160.345(2)(c)2	
Advanced Placement, International Baccalaureate, Dual Enrollment, Dual Credit Courses	KRS 160.348(2)	
Wellness	KRS 160.345(11)	
Writing	KRS 158.6453(7)(c)	
Parent Involvement	Title I, Part A (Section 1118) of ESEA (No	

POLICY AREA	STATUTE AUTHORITY REFERENCE	DATE ADOPTED
	Child Left Behind Act of 2001)	
Wellness and Nutrition	Healthy, Hunger Free Kids Act of 2010	



What is one item included in our policies that has the most current adoption date?

What is one item in our policies that needs to be revised or is missing? Why?

Policy Pitfalls

A pitfall is a danger or problem that is hidden or not clear. School council policies may often contain pitfalls. Some of your pitfalls may be coming clear as you are starting to examine your school council's policies. As you are thinking about policies that may need revisions, consider these pitfalls to avoid:

- Focusing on compliance rather than on commitment to improving student achievement or creating requirements for staff that may not lead to improved student achievement.
- Writing a policy to address an issue that needs to be dealt with on a more individual basis or is already dealt with in another document.
- Being reactive instead of proactive with a situation.
- Setting up staff to be in violation of the requirements in the policy or not communicating policy requirements to staff, students, families and/or the community.


Look at the policy scenarios on the next page. As you read each scenario, think about:

- What are the policy pitfalls?
- What are some additional pitfalls that may arise because of this policy?

- What are some of the reasons that these policies might have been developed and adopted?
- What might be the next step for the school council as it addresses these policy pitfalls?

1. An instructional practice policy calls for all teachers to submit lesson plans for the upcoming week every Friday to the principal. The principal reviews each lesson plan and provides feedback.	What are the pitfalls?
Next Steps:	
2. The budget policy says the school council must approve every professional learning expense.	What are the pitfalls?
Next Steps:	
3. The school council has been asked to pass a policy saying basketball players who coming in late or check out early will not be allowed to play in the next game.	What are the pitfalls?
Next Steps:	
4. To start the new school year, the parent-student handbook will include the policy that two late homework assignments in a nine-week period will result in after-school detention.	What are the pitfalls?
Next Steps:	

5. A committee policy states: <i>Every committee shall have one parent member.</i>	What are the pitfalls?
Next Steps:	

	What are some pitfalls I can already see in our school council policies?
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Scavenger Hunt

Read each situation below. Think about your school council policies. Do you have a policy that would address this situation? If so, what is the policy? Does your policy address this situation effectively?

Situation	Which policy would address this situation?	Does our policy address this situation effectively? If not, what are our next steps?
A new teacher wants to know what content areas her students are supposed to master.		
Teachers are frustrated because of the Good News announcements made		

Situation	Which policy would address this situation?	Does our policy address this situation effectively? If not, what are our next steps?
during the middle of third period.		
A team of teachers would like to move classrooms to be together for ease of regrouping students to address identified needs.		
Teachers would like to ensure that content reading strategies are taught across the curriculum.		
The principal is going to use an interview committee composed of two teachers who will be teammates of the future hire and one parent (plus the principal).		
The chair of the parent involvement committee isn't conducting regularly scheduled meetings, and when meetings are held, they are not advertised and minutes are not taken.		
A team of teachers has begun implementing weekly assessments and review days. They would like extra classroom help on Fridays from the school's instructional assistants.		



What one thing about our policies do I still have questions?



The most important thing I learned (or was reminded of) today was ...